

AMENDMENT UNDER 37 C.F.R. §1.116
U.S. Appln. No. 10/554,914

AMENDMENTS TO THE DRAWINGS

Attachment: Replacement Sheets 10

Re-label Figs. 11a and 11b as “Prior Art”.

REMARKS

The Examiner has objected to the drawings because Figures 11a and 11b have not been designated "prior art". Applicants submit herewith amended drawings in which these figures are appropriately labeled.

The Examiner has objected to the Abstract of the Disclosure as touting advantages of the invention. The Abstract of the Disclosure has been amended to overcome this objection.

Claims 1-4 are pending in the application and have been rejected under § 102(b) as being anticipated by Saito, et al (JP Patent No. 11-297129). Further, claims 5-7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Saito in view of Unterberger (U.S. Patent No. 5,645,899). Finally, claims 8-9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicant's Own Admitted Prior Art (Figs. 11a-11b) in view of Saito.

Applicants have made some minor clarifying changes to the claims in order to more accurately claim the invention. However, Applicants respectfully traverse the above prior art rejections.

Beginning with the rejection of claims 1-4, independent claim 1 is directed to a wire which includes an indicating member provided on a covering sheet. The indicating member indicates an operation region and includes a first marking and a second marking which are provided at a predetermined interval along the longitudinal direction of the covering sheet.

According to the invention, the first marking indicates the position of an operation to be performed and the second marking indicates the form of the operation. For example, as further recited in claim 3, the first marking indicates a connecting position to which a branch wire is to

be connected and a second marking indicates a number of branch wires and an installation direction of the branch wires. Applicants submit that Saito does not teach or suggest the wire recited in claim 1.

Saito discloses a telephone cable which includes many (e.g., 2,000-4,000) lines to which connectors 3 are installed. Each of the communication lines includes an ID code 4 at a position displaced from the connector 3. The ID codes 4 are displaced from the connector end so that the flexibility of the filer near the connector is not reduced. In order to ensure that an operator can identify each of the communication lines at the location of the connector, colorings 5 are provided on the communication line, with one coloring 5 being located adjacent the ID code 4 and the other coloring 5 being located near the connector. The important point here is that although Saito does disclose wires with two markings, both of these marking are purely for identifying purposes.

In contrast, as noted above, in the wire of the present invention, the first marking indicates a position of an operation to be performed on the wire and the second marking indicates the form of the operation. Although the Examiner asserts that Saito discloses this feature of the invention, Applicants disagree. More specifically, in the Office Action, the Examiner asserts that coloring 5 indicates an operation position in that it identifies the termination of the connector and further asserts that the ID codes 4 correspond to the second marking and indicates an operation form, namely the type and function of the wire.

However, as amended in the attached Appendix, claim 1 requires that the first marking indicate a position of an operation to be performed on the wire which is clearly not taught or

suggested by the colorings 5 in Saito. Rather, as noted above, these colorings 5 are merely used to distinguish groups of wires from each other at the location of the connector. Furthermore, claim 1 recites that the second marking indicates a form of the operation to be performed on the wire. In contrast, the ID code 4 in Saito does not indicate any type of operation to be performed on the wire. Rather, the ID code is simply used as an identifier for each of the wires.

In the Office Action, the Examiner states that the ID code 4 indicates the type and function of the wire and cites to paragraph 6 under the “Detailed Description of Saito”. However, contrary to the Examiner’s assertion, and as noted above, the ID code is merely an identifier for each of the wires. Even if it may provide information as to the type and function of the wire, this does not satisfy the requirement of claim 1 that it indicate a form of operation to be performed on the wire. Accordingly, it is submitted that independent claim 1 patentably distinguishes over Saito.

Furthermore, a number of dependent claims further patentably distinguish over Saito. Clearly, Saito does not disclose that the first marking indicates the operation position arranged between the first marking and the second marking, as claim 2 requires. Furthermore, since Saito is not concerned with splicing branch wires to the communication lines, it clearly does not teach or suggest the requirement of claim 3 that the first marking indicate a connector position to which the wire is to be connected and the second marking indicates a number of branch wires in the installation direction thereof. The Examiner asserts that branch wires (not shown) in Saito are intended to be connected to the communication line. However, Applicants see no such

support for this contention. Similarly, Applicants see no support for the Examiner's rejection of claim 4.

Turning to the rejection of independent claim 8, although not entirely clear from the Office Action (the Examiner mistakenly refers to Saito on page 7 of the Office Action when he seems to intend to refer to the admitted prior art), it appears that the Examiner is contending that the admitted prior art discloses all of the features recited in claim 1 with the exception of the final step of installing the second wire in accordance with the connection formed indicated by the second marking. It is for this reason that the Examiner relies on Saito. Specifically, as in the rejection of claim 1, the Examiner maintains that the ID code 4 indicates an operation form in that it indicates the type and function of the wire and the installation location of the branch wire. Thus, the Examiner asserts that it would have been obvious to one of ordinary skill in the art to modify the method of the admitted prior art to include first and second marking configurations as taught by Saito because "Saito teaches that such a configuration provides a wire, wherein the terminals of the wire can be identified with the collation of the cable identifying codes (Abstract)."

Applicants traverse this rejection as well. As noted above, the ID code does not indicate a form in which a second wire is to be connected to a first wire, as required by claim 8. Rather, the ID code is simply an identifier for distinguishing groups of wires from each other. Furthermore, the Examiner's obviousness determination does not make sense. Indeed, in the obviousness determination, the Examiner seems to realize that both the ID code 4 and the coloring 5 in Saito are used exclusively for identifying purposes. Although a person of ordinary

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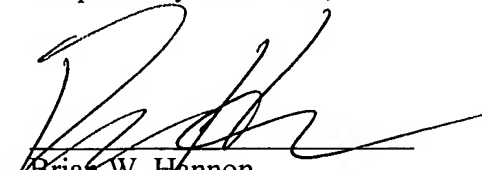
skill in the art may modify the admitted prior art wire to include an identifying code, there is no suggestion of using this code as an indicator of a form a connection between the wire and another wire.

The same argument applies equally to claim 9. Thus, Applicants submit that independent claims 8 and 9 patentably distinguish over Saito and the admitted prior art.

In view of the foregoing, it is submitted that all claims pending in the application are allowable. It is therefore requested that the application be passed to issue at the earliest convenience.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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